

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

ROBERT T. ALGER

PLAINTIFF

V.

NO. 1:10CV244-P-S

PRENTISS COUNTY SHERIFF'S DEPARTMENT, et al.

DEFENDANTS

ORDER

In accordance with the opinion issued this day

- (1) the defendants' motion to dismiss (docket entry 38) is GRANTED;
- (2) defendants Randy Tolar and Prentiss County Sheriff's Department are DISMISSED; and
- (3) the matter shall proceed as to the remaining defendants.

IT IS SO ORDERED.

THIS the 15th day of September, 2011.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE